

MINUTES
WOODSTOCK CITY COUNCIL
City Council Chambers
July 21, 2020

A regular meeting of the Woodstock City Council was called to order at 7:00 PM on Tuesday, July 21, 2020, by Mayor Sager in the Council Chambers at Woodstock City Hall. Mayor Sager noted this meeting of the Woodstock City Council is being held under the Governor's Emergency Declaration with Council members attending remotely and those attending at City Hall observing social distancing. He stated it is being livestreamed as is the City's policy. Inviting all to participate, Mayor Sager explained the procedures to be used by the City Council, City Staff, and the Public to join today's meeting, including how comments may be made and questions asked. Mayor Sager explained the Consent Calendar.

A roll call was taken.

COUNCIL MEMBERS PRESENT IN THE COUNCIL CHAMBERS: Mayor Brian Sager.

COUNCIL MEMBERS PRESENT ATTENDING REMOTELY: Darrin Flynn, Lisa Lohmeyer, Wendy Piersall, Jim Prindiville, Gordon Tebo, and Michael Turner.

COUNCIL ABSENT: None

STAFF PRESENT IN THE COUNCIL CHAMBERS: City Manager Roscoe Stelford and Economic Development Director Garrett Anderson.

STAFF ATTENDING REMOTELY: Assistant City Manager/Finance Director Paul Christensen, City Attorney Ruth Schlossberg, IT Director Dan McElmeel, Building and Zoning Director Joe Napolitano, and Public Works Director Jeff Van Landuyt.

OTHERS PRESENT IN THE COUNCIL CHAMBERS: City Clerk Cindy Smiley

OTHERS ATTENDING REMOTELY: Plan Commission appointee David Casner and Cultural and Social Awareness Commission Chairperson Juanita Vega.

Mayor Sager noted the presence of a quorum under the revised rules of the Governor during this COVID emergency. City Clerk Smiley confirmed the agenda before the Council is a true and correct copy of the published agenda.

III. FLOOR DISCUSSION

A. Public Hearing – 1. Roundabout – Property Acquisitions: Public Hearing Regarding Anticipated City Request to the Illinois Legislature to Acquire All or Parts of the Following Properties by Eminent Domain Using Quick Take Legislative Authority:

- a) 311 Lake Avenue (the "Hunt Property")
- b) Northeast Quadrant of the Madison Street and South Street (the "Hunt Property")
- c) 219 S. Madison Street (the "Dittmer Property")

Mayor Sager stated this action is related to the properties needed for the roundabout project. He stated this Public Hearing concerns the City's request for legislative action to acquire these properties after unsuccessful negotiations to purchase the properties.

Mayor Sager opened the Public Hearing regarding the anticipated City request to the Illinois Legislature to acquire all or parts of the following properties by Eminent Domain using Quick Take Legislative Authority at 7:05 PM:

- a) 311 Lake Avenue (the "Hunt Property")
- b) Northeast Quadrant of the Madison Street and South Street (the "Hunt Property")
- c) 219 S. Madison Street (the "Dittmer Property")

Mayor Sager invited any members of the public wishing to address the Council concerning this matter to speak.

There were no Public comments.

Motion by M. Turner, second by G. Tebo, to close the Public Hearing.

There were no Public comments on the motion.

A roll call was taken. Ayes: D. Flynn, L. Lohmeyer, W. Piersall, J. Prindiville, G. Tebo, M. Turner, and Mayor B. Sager. Nays: none. Abstentions: none. Absentees: none. Motion carried. The Public Hearing was closed at 7:08 PM.

B. Public Comments

There were no comments forthcoming from the Public.

C. Council Comments

There were no comments forthcoming from the Council.

IV. CONSENT AGENDA

Motion by M. Turner, second by L. Lohmeyer, to approve the Consent Agenda.

In response to a question from Mayor Sager, the following item was removed from the Consent Agenda by the City Council or the Public:

- Item D-4 – Ordinance – Zoning Map Amendments – B3-M1/Special Use Permit – Cannabis Craft Grower, 1411 S. Eastwood Drive by Councilwoman Piersall

In response to a question from Mayor Sager, the following questions and/or comments were raised by members of the City Council or the Public on items on the Consent Agenda:

Item D-10 – Appointments – New and Reappointments of Commission Members

Mayor Sager advised the Council that subsequent to distribution of the packet he was advised that a member of the Historic Preservation Commission would not be seeking reappointment. He stated that an application had been received from Kimberly Ortega, explaining her experience and background.

Without objection, Ms. Ortega's name was added to the list of appointees to the Historic Preservation Commission to fill a vacancy created to a term of 2023.

Mayor Sager affirmed the Consent Agenda to include items A through D-3 and D-5 through D-12 as follows:

A. MINUTES OF PREVIOUS MEETING

June 16, 2020 City Council Meeting

B. WARRANTS #3913 #3914

C. MINUTES AND REPORTS

Plan Commission Minutes	February 20, 2020
Human Resources Monthly Report	May 2020
Public Works Monthly Report	May 2020
Police Department Monthly Report	May 2020
Human Resources Monthly Report	June 2020

D. MANAGER'S REPORT NO. 160:

- 1. Ordinance – Amending Section 3.3.6 Liquor License Classification** – Approval of Ordinance 20-O-52, identified as Document 1, *An Ordinance Amending Section 3.3.6, Classification of Licenses: Number and Fees, of Chapter 3, Title 3, Liquor Control, of the Woodstock City Code*, modifying the parameters of the B-4C Liquor License Classification
- 2. Waiver of Moratorium – 460 S. Eastwood, Lucky Café** – Approval to waive the moratorium on acceptance of an application for one Class A-2 (Restaurant) liquor license for Lucky Café, 460 S. Eastwood Drive in Woodstock with the understanding this is not a guarantee of license approval and that it is a one-time waiver for the identified location only.
- 3. Ordinance – Special Use Permit – Cannabis Craft Grower, Cold Headers Business Park** – Adoption of Ordinance 20-O-53, identified as Document 2, *An Ordinance Approving a Special Use Permit to allow a Cannabis Craft Grower, Processor, Infuser, and Transporter on Lot 13, Duncan Place, Woodstock, Illinois*.
- 5. Ordinance – TIF Redevelopment, Lake Avenue** – Approval of Ordinance 20-O-54, identified as Document 4, *An Ordinance Authorizing the Execution of a Redevelopment Agreement by and Between the City of Woodstock, McHenry County, Illinois, and Kensington Woodstock LLC*.
- 6. Agreement – Woodstock Fire/Rescue District – Emricson Park Tower** – Authorization for the Mayor and City Clerk to execute an Intergovernmental Agreement, identified as Document 5, between the City and the Woodstock Fire/Rescue District to allow for the use of the Emricson Park Radio Tower by WFRD to facilitate their radio communications.

- 7. Award of Contract – Leaf Disposal Services** – Authorization to award a contract to Valley Aggregates, LTD, Woodstock, IL for Leaf Disposal Services for Calendar Year 2020 at a unit price of \$3.00/cubic yard.
- 8. Ordinance – Streets Division Pickup Truck**
 - a) Authorization to purchase a pickup truck utilizing the Suburban Purchasing Contract from Currie Motors, Frankfort, IL for the bid price of \$29,411 and additional upfitting of a snow plow to be completed by R.A. Adams, McHenry, Illinois for an additional cost of \$5,450, for a total purchase price for this unit of \$34,861;
 - b) Approval of ordinance 20-O-55, identified as Document 6, *An Ordinance Authorizing the Disposal of a 2007 Chevrolet Silverado 2500 Owned by the City of Woodstock*, designating this vehicle as surplus property and authorizing and directing the City Manager to dispose of said property as allowed by law.
- 9. Award of Contract – Façade Improvement – Chop Suey Hut** – Approval to allocate for sign and awning improvements at 218 North Throop Street approximately 50% of the exterior improvement costs, up to \$6,123.93, from TIF #2 funds.
- 10. Appointments – New and Reappointments of Commission Members** – Acceptance of the Mayor’s Appointments to the Plan Commission, Old Courthouse and Sheriff’s House Advisory Commission, Board of Library Trustees, Historic Preservation Commission and Environmental Commission as well as the Reappointments of Commission members with Terms expiring in 2020.
- 11. Ordinances – Eminent Domain Ordinances for Roundabout Project at Intersection of South, Lake and Madison Streets:**
 - a) Approval of Ordinance 20-O-49, identified as Document 7, *An Ordinance Authorizing the City to Bring an Eminent Domain Proceeding to Acquire Certain Property Located at 311 Lake Avenue; and*
 - b) Approval of Ordinance 20-O-50, identified as Document 8, *An Ordinance Authorizing the City to Bring an Eminent Domain Proceeding to Acquire Certain Property Located at the Northeast Quadrant of Madison Street and South Street; and*
 - c) Approval of Ordinance 20-O-51 identified Document 9, *An Ordinance Authorizing the City to Bring an Eminent Domain Proceeding to Acquire Certain Property and a Temporary Easement Located at 219 S. Madison Street.*
- 12. Resolution – Quick Take Authority Associated with Eminent Domain Action for Roundabout Project at Intersection of South, Lake and Madison Streets** – Approval of Resolution 20-R-07, identified as Document 10, *A Resolution Requesting the Authority from the General Assembly to Exercise Certain Powers Regarding Eminent Domain to Acquire Certain Real Property Located at 219 S. Madison Street, 311 Lake Avenue and*

Real Property Located at Northeast Quadrant of Madison Street and South Street in the City of Woodstock, County of McHenry, State of Illinois.

A roll call vote was taken on items A through D-3 and D-5 through D-12.

Ayes: D. Flynn, L. Lohmeyer, W. Piersall, J. Prindiville, G. Tebo, M. Turner, and Mayor B. Sager.
Nays: none. Abstentions: none. Absentees: none. Motion carried.

Item D-4 – Ordinance – Zoning Map Amendment – B3 to M1/Special Use Permit – Cannabis Craft Grower, 1411 S. Eastwood Drive

Councilwoman Piersall expressed concern about the security plan for this project, noting there is no security fence called for within this plan. She also questioned the landscape plan.

Mayor Sager noted the request is for a Zoning Map Amendment and a Special Use Permit. He stated this application, as well as the other one before the Council, is still in the state's application process. G. Anderson explained the state process.

J. Napolitano stated the petitioner chose not to include a fence as he did not feel it is necessary, but stated at the Plan Commission meeting that he would do so if that is desired.

Joseph Ori, Petitioner, stated this will be a growing facility that is not visible from Rt. 47, and not a dispensary. He noted the state's long set of requirements placed on growing facilities, stating a fence is not one of them based on the proposed building design. He stated the building will all be enclosed with no windows and only two doors, 24/7 on-site security, and a huge vault comparable with a bank vault. He stated he is willing to put a fence in, but does not feel it is needed, as the entire facility will be closed off. Noting a building already on the property will be converted into offices, Mr. Ori stated the site plan includes landscaping a portion of the building that is visible from Rt. 47 to be aesthetically pleasing. He emphasized the differences between a grow facility and a dispensary. In response to a question from Councilwoman Piersall, Mr. Ori explained the need for the vault, noting it is required by the state.

In response to a question from Councilwoman Piersall, Mayor Sager stated the vote is for a Zoning Map Amendment and Special Use Permit, noting Council would be approving the fact that the petitioner could build this facility with this business on this property. He noted the opportunity for this business still rests with the State of Illinois as to whether they approve the petitioner's application. Brief discussion followed of the process used by the State to approve the applications. Mr. Ori noted the State places a lot of emphasis on security and has the most stringent requirements he has seen in any state. He noted there are 250+ applications for 40 licenses.

Motion by M. Turner, second by W. Piersall, to approve Ordinance 20-O-56, identified as Document 3, *An Ordinance Approving a Zoning Map Amendment from B3 Service & Retail District to M1 Limited*

Manufacturing District and Issuing A Special Use Permit to allow a Cannabis Craft Grower, Processor, Infuser, and Transporter at 1411 S. Eastwood Drive, Woodstock, Illinois.

Mayor Sager opened the floor to Public Comment.

Greg Amato, Redwing Drive, Woodstock, asked if there are any federal regulations which must be met. Mr. Ori stated at present there are not, opining it will be two or three years before this is legalized at the federal level.

A roll call vote was taken. Ayes: D. Flynn, L. Lohmeyer, W. Piersall, J. Prindiville, G. Tebo, M. Turner, and Mayor B. Sager. Nays: none. Abstentions: none. Absentees: none. Motion carried.

V. DISCUSSION

1. Recreation Department, Recreation Center, Park Amenities, and Economic Development – Updates Regarding Response to COVID-19

R. Stelford stated this is Staff's monthly update on COVID-19. Noting the state is now in Phase 4, he stated there are no changes proposed to the various policies and programs instituted by the City in response to this crisis. He stated with Council's support the Recreation Department is looking to begin accepting pavilion reservations on August 1st. Noting the guidelines provided by the state concerning playgrounds, Mr. Stelford asked for Council's direction on if these facilities should be open to the public. He stated City staff is not in a position to continuously disinfect the playground equipment.

Concerning Economic Development, Mr. Stelford noted the information provided by Director Anderson in the packet. He talked about the possibility of opening the Opera House with events identified for 100 attendees or less. He stated Director Campbell is also looking at possible acts and programs for Stage Left. Mr. Anderson stated he is pleased with the progress of the emergency loan program. Mr. Stelford stated the plan is to continue with the moratorium on fees for temporary signage.

Mayor Sager noted the strong efforts of staff in addressing these issues, noting they have been working with businesses, organizations, and the community to provide support and find plans.

Councilman Turner lauded the responses of the City and Staff. He expressed support for opening pavilion reservations and also for opening the playgrounds, opining it would be the people's choice to use these facilities.

In response to Councilman Tebo's question, Mr. Stelford stated the revolving loan payments are waived until the end of Phase 4, not Phase 5.

Councilwoman Piersall expressed support for accepting pavilion reservations, but opposed opening playgrounds, pointing to what is occurring in the South and opining playground equipment cannot be disinfected.

There were no comments forthcoming from the Public.

In response to a question from Mayor Sager, it was the consensus of the City Council to open pavilion reservations on August 1st.

Concerning opening the playgrounds, Councilman Tebo noted COVID-19 is still expanding and could expand in Illinois again, opining the playgrounds should not be opened at this time.

Councilman Prindiville agreed opining the playgrounds would be difficult to control. He further opined the City should not do anything to jeopardize its progress.

Noting there are already children in the parks, Councilman Flynn expressed support for opening the playgrounds with signage indicating the public is responsible for disinfection.

Mayor Sager opined it is probably best to not encourage the use of the playground equipment, but rather to wait for another month or so and continue to stay the course.

In response to a question from Mayor Sager, it was the majority consensus of the City Council, with Councilmen Turner and Flynn dissenting, not to reopen the playground equipment at this time and to discuss this again at a future meeting.

2. Ethereal Confections – Cass Street Closure Request with Live Music – Friday & Saturday Evenings (6:00PM – 8:00PM)

Mr. Stelford stated the City has received a request from Ethereal for temporary closure of Cass Street between Johnson and Throop Streets between 6:00 PM and 8:00 PM on Friday and Saturday evenings to accommodate outdoor dining and entertainment.

In response to a question from Council, Mr. Stelford stated Mr. Levitan owner of Winestock is not supportive of this request and the owner of Chilly Willy's has not expressed an opinion.

Councilwoman Piersall stated the owners of Interiors Anew have expressed hesitation concerning this request, noting their need to load product in on Friday evening in anticipation of Saturday morning sales.

Mayor Sager noted the City Manager has the authority to close streets, reminding Council of its previous discussion concerning this matter. Noting a previous request was rejected, he stated this request is for a more limited time.

Mr. Stelford read an email from Staff regarding their conversation with Mr. Levitan of Winestock expressing his opposition to this request, citing several specific reasons.

In response to a question from Councilman Tebo concerning whether a different timeframe could be chosen, Mayor Sager stated Ethereal is trying to have various types of meals at dinner time. He noted the timeframe requested is after business hours for many businesses, but not for Winestock and Chilly Willy's. Mr. Anderson noted this request is also to facilitate better seating for live music.

In response to a question from Councilman Flynn, there were no representatives from Ethereal present.

Noting this corner is very hectic during this timeframe, Councilman Flynn questioned if additional time will be needed for set-up and take-down. He suggested approving a request for Saturday night, but not Friday and Saturday. Mr. Anderson stated additional time would be needed for set-up and take-down.

Noting the City has been flexible and supportive of the businesses, Councilman Turner opined this is an interesting concept. Noting if Ethereal brings more people this could also benefit Winestock, he stated he understands Mr. Levitan's concerns. He noted Interior Anew's concerns with the ability to load merchandise must be addressed and expressed support of Councilman Flynn's idea of approving Saturday, but not Friday and Saturday. He stated he also may consider other modifications and would like to see some type of experiment with this.

Councilman Prindiville expressed support of Councilman Flynn's suggestion. He encouraged whoever provides the music to be aware of the possibility of amplified music becoming an issue when coming up against the brick wall.

Mayor Sager suggested approving this on a limited basis from 6:00 PM to 9:00 PM on Saturdays from July 25th through August 29th to see how things go and then to revisit this matter. Discussion followed with Councilwoman Piersall and Councilman Tebo expressing support.

Following further discussion, it was the consensus of the City Council to allow closure of Cass Street between Johnson and Throop Streets on Saturday evenings between 6:00 PM and 9:00 PM from July 25th through September 5th to allow for dining and live music, with further review by Council at the September 1st City Council meeting.

V. FUTURE AGENDA ITEMS

Mayor Sager reported on the first forum concerning racism and diversity, noting there was good participation with about 25 attendees. He provided information on when the next forums will be held and invited any Councilmembers and individuals interested in attending to make reservations with Jane Howie at City Hall.

Mayor Sager stated the following recommendations came out of the first forum:

- 1) Purchase of a particular book to be made available to City Staff
- 2) Make the City's web page available in Spanish.

He stated the book has been purchased and a button has been placed on the bottom of the City's web page which allows the site to be translated and viewed in Spanish.

There were no suggestions by the Council or the Public to add, delete, or amend items on the tentative future agenda.

VI. ADJOURN

Motion by L. Lohmeyer, second by J. Prindiville, to adjourn this regular meeting of the Woodstock City Council to the next regular meeting to be held at 7:00 PM on Tuesday, August 4, 2020 in the Council Chambers at City Hall.

Ayes: D. Flynn, L. Lohmeyer, W. Piersall, J. Prindiville, G. Tebo, M. Turner, and Mayor B. Sager.
Nays: none. Abstentions: none. Absentees: none. Motion carried.

The meeting was adjourned at 8:38 PM.

Respectfully submitted,

Cindy Smiley
City Clerk